

NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Attorney General Terry Goddard announced today that his Consumer Protection & Advocacy Section in Tucson, along with the offices of eighteen other Attorneys General, settled an investigation into Pfizer's Direct-To-Consumer (DTC) advertising for Zithromax, a Pfizer product to treat young children's severe ear infections (pediatric acute otitis media or AOM). In addition to DTC ads, the Attorneys General also reviewed promotional Zithromax materials that Pfizer provided to doctors and other health care professionals.

DTC advertising usually urges consumers to ask their doctors to prescribe a certain drug, and specifically in this case, urged the parents of young children to ask for Zithromax because the children would have to take the antibiotic for fewer days than other antibiotics that treat AOM. The Attorneys General alleged that Pfizer's advertisements misrepresented the efficacy of Zithromax in comparison to other antibiotics used to treat AOM by focusing only on Zithromax's dosing convenience and reduced frequency of use. Pfizer failed to disclose that doctors must consider various other factors, such as antibiotic resistance, in deciding what antibiotic to prescribe for AOM.

Among other matters, the Assurance prohibits Pfizer from making representations for Zithromax:

- * regarding the dosing convenience or frequency of Zithromax without making the following disclosure: "Your Doctor will consider many factors when choosing an antibiotic. Dosing convenience is only one of them."

- * that compare the effectiveness of Zithromax for treatment of AOM to other antibiotics without making the following disclosure: "Antibiotic resistance is a consideration that may affect your Doctor's choice of treatment for your child's ear infection."

Pfizer must also disclose the following in all DTC ads promoting Zithromax for AOM:

"Remember that antibiotics do not work for viral infections, such as a cold or flu, so do not insist on a prescription for an antibiotic. Only your doctor can decide what type of infection your child has and the best way to treat it."

In addition, Pfizer must fund public service announcements in the amount of \$2 million dollars during the next three cold seasons (November through March). These PSAs will inform

parents that a doctor must take a number of factors into consideration, including: (a) antibiotic resistance; (b) the ineffectiveness of antibiotics in combating viral infections; and (c) the factors considered by doctors in prescribing drugs to treat infections, including the need for adherence to the dosing regimen.

Pfizer is paying the 19 states involved a total of \$4 million dollars for costs and attorneys fees. Arizona's share is \$127,273. In agreeing to the settlement, Pfizer did not admit any wrongdoing.

In addition to Arizona, the other 18 states involved in the investigation and settlement are Arkansas, California, Connecticut, Florida, Kansas, Maryland, Massachusetts, New Mexico, Nevada, New York, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Vermont, and Wisconsin.